



Atty. Dkt. No. 078728-0104

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Joseph ROBERTS, *et al.*

Title: PROTECTING THERAPEUTIC COMPOSITIONS FROM
HOST-MEDIATED INACTIVATION

Appl. No.: 09/972,245

Filing Date: 10/09/2001

Examiner: Richard A. Schnizer

Art Unit: 1635

**NOTICE OF APPEAL FROM THE EXAMINER TO THE BOARD
OF PATENT APPEALS AND INTERFERENCES**

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Sir:

Applicants hereby appeal to the Board of Patent Appeals and Interferences from the decision of the Examiner in the Final Office Action dated December 29, 2005 finally rejecting claims 1-13, 17-22, and 41-46.

Applicants claim small entity status.

Applicant hereby petitions for an extension of time under 37 C.F.R. §1.136(a) for the total number of months checked below:

Notice of Appeal Fee

To be paid as detailed below

Not required (Fee paid in prior appeal)

03/30/2006 SZEWDIE1 00000026 09972245

01 FC:2401

250.00 0P

The required fees are calculated below:

<input checked="" type="checkbox"/>	Notice of Appeal Fee	\$500.00
<input type="checkbox"/>	Extension month:	\$0.00
<input type="checkbox"/>	Extension:	\$0.00
	FEE TOTAL:	\$500.00
<input checked="" type="checkbox"/>	Small Entity Fees Apply (subtract ½ of above):	\$250.00
	TOTAL FEE:	\$250.00

A credit card payment form in the amount of \$250.00 is enclosed.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by the credit card payment form being unsigned, providing incorrect information resulting in a rejected credit card transaction, or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741.

Please direct all correspondence to the undersigned attorney or agent at the address indicated below.

Respectfully submitted,

Date 29 March 2006

By S. A. Bent

FOLEY & LARDNER LLP
Customer Number: 22428
Telephone: (202) 672-5404
Facsimile: (202) 672-5399

Stephen A. Bent
Attorney for Applicants
Registration No. 29,768

Paul D. Strain
Attorney for Applicants
Registration No. 47,369